

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<p>“an emergency call router” (’868 Patent, Claims 1, 18) [Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“back-up call router that is operable only when the communication link fails”</p>	<p>“call router that is operable at least when the communication link fails”</p>
<p>“access gateway” (’868 Patent, Claims 1, 18) [Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“gateway coupled to the packet data network for communication with a softswitch”</p>	<p>“a gateway that is coupled to¹ a communication network and to a softswitch, and that facilitates communications between telephonic stations”</p> <p>¹ – “coupled to” includes both direct and indirect coupling</p>
<p>“target gateway” (’868 Patent, Claims 1, 18) [Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“gateway coupled to the emergency call router and separate from the access gateway”</p>	<p>Plain-and-ordinary meaning wherein the target gateway is separate from the access gateway.</p>
<p>“selectably operable” (’868 Patent, Claims 1, 13) “selectably routing” (’868 Patent, Claim 18) [Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“deciding whether to permit a call to be routed based on call-type or call priority”</p>	<p>Plain and ordinary meaning</p>

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<p>“... wherein said emergency call muter is further for determining whether the call of the selected call-type shall be completable by way of the normal-operation communication link and for rerouting a call request to the local-network alternate station upon determination that the call completion by way of the normal-operation communication link”</p> <p>(’868 Patent, Claim 12)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning; not indefinite</p>	<p>Indefinite</p>	<p>Indefinite</p>
<p>“presentity” / “presentities”</p> <p>(’550 Patent, Claims, 1, 8, 11)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“the entity whose presence is being represented”</p>	<p>“an entity (<i>e.g.</i>, person, group of people, service (<i>e.g.</i>, software application or data), device or equipment (<i>e.g.</i>, computer, fax machine or copy machine) and a facility (<i>e.g.</i>, a room, an office or a building) that has associated presence state (<i>e.g.</i>, on the phone, hotel room has been cleaned, <i>etc.</i>).”</p>

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<p>“presence contributors”</p> <p>(’550 Patent, Claims, 1, 8, 11)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning</p>	<p>“an entity that provides presence information about a presentity to a presence server or presence agent”</p>	<p>“an entity (<i>e.g.</i>, devices (<i>e.g.</i>, telephone, printer or fax machine), services, software applications, facilities and users (<i>e.g.</i>, user presentity, administrator, personnel and other users)) that provides presence information about a presentity to at a presence server or presence agent”</p>

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<p>“means for defining access rules for each of said presence contributors, said access rules associated with each of said presence contributors defining respective rights and privileges of said presence contributors to access said presence information of said presentity after said presence contributors have provided said presence information to said presence server”</p> <p>('550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: defining access rules for each of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: define respective rights and privileges of presence contributors to access the presence information of a presentity</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: defining access rules for each of said presence contributors, said access rules associated with each of said presence contributors defining respective rights and privileges of said presence contributors to access said presence information of said presentity after said presence contributors have provided said presence information to said presence server.</p> <p>Structure: presentity 110 along with presence server 160 and presence agent 150</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: defining access rules for each of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: none. Term is indefinite for failure to disclosure algorithm for performing the structure.</p>

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<p>“means for authenticating one of said presence contributors to determine said access rules associated with said one of said presence contributors”</p> <p>(’550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: authenticating one of said presence contributors to determine said access rules associated with said one of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: determine if said presence contributor is authenticated based on provided authentication credentials</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: authenticating one of said presence contributors to determine said access rules associated with said one of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: authenticating one of said presence contributors to determine said access rules associated with said one of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: determine if said presence contributor is authenticated based on provided authentication credentials as described in 1:32-34, 2:21-26, 6:44-53, 7:4-12, 7:42-47, 8:5-22, Fig. 5.</p>

<p>“means for enabling access to said presence information of said presentity by said one of said presence contributors based on said access rules associated with said one of said presence contributors”</p> <p>(’550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: enabling access to said presence information of said presentity by said one of said presence contributors based on said access rules associated with said one of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: determine access rules for said one of said presence contributors and granting said one of said presence contributors the rights and privileges associated with said access rules</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling access to said presence information of said presentity by said one of said presence contributors based on said access rules associated with said one of said presence contributors</p> <p>Structure: presence server 160, presence agent 150, presence user agent 140, and communications network 130</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling access to said presence information of said presentity by said one of said presence contributors based on said access rules associated with said one of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: N/A</p>
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<p>“means for enabling access further includes means for filtering said presence information of said presentity based on said access rules of said one of said presence contributors to produce filtered presence information and means for providing said filtered presence information to said one of said presence contributors”</p> <p>(’550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6, and to the extent Defendant’s proposal is understandable:</p> <p>Function 1 of 2: filtering said presence information of said presentity based on said access rules of said one of said presence contributors to produce filtered presence information</p> <p>Structure 1 of 2: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm 1 of 2: select some or all of said presentity’s presence information to allow said one of said presence contributor to access or view</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>“means for enabling access further includes means for filtering said presence information of said presentity based on said access rules of said one of said presence contributors to produce filtered presence information”</p> <p>Function 1: filtering said presence information of said presentity based on said access rules of said one of said presence contributors to produce filtered presence information</p> <p>Structure 1: presence server 160 and presence agent 150 with access rules 210</p> <p>Algorithm that must be included in the Structure 1: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function 1 of 2: filtering said presence information of said presentity based on said access rules of said one of said presence contributors to produce filtered presence information.</p> <p>Structure 1 of 2: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm 1 of 2: The algorithm as described in 4:44-55</p> <p>Function 2 of 2: providing said filtered presence information to said one of said presence contributors</p> <p>Structure 2 of 2: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm 2 of 2: none. Term is indefinite for failure to disclose structure including algorithm for performing the function.</p>
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	<p>Function 2 of 2: providing said filtered presence information to said one of said presence contributors</p> <p>Structure 2 of 2: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm 2 of 2: allow said one of said presence contributor to access or view the selected some or all of said presentity's presence information</p>	<p>“means for providing said filtered presence information to said one of said presence contributors”</p> <p>Function 2: providing said filtered presence information to said one of said presence contributors</p> <p>Structure 2: presence server 160, presence agent 150, presence user agent 140, and communications network 130 or 135</p> <p>Algorithm that must be included in the Structure 2: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	

<p>“means for enabling access further includes means for enabling said one of said presence contributors to update said presence information of said presentity based on said access rules of said one of said presence contributors”</p> <p>(’550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: enabling said one of said presence contributors to update said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: providing one of said presence contributors the ability to set/change the presence information of said presentity subject to any limits on the ability according to said access rules</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling said one of said presence contributors to update said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: presence contributors 120, presence server 160, presence agent 150 with access rules 210, presence user agent 140, and communications network 130</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling said one of said presence contributors to update said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: none. Term is indefinite for failure to disclose structure including algorithm for performing the function.</p>
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<p>“means for enabling access further includes means for enabling said one of said presence contributors to define preference information associated with said presence information of said presentity based on said access rules of said one of said presence contributors”</p> <p>(’550 Patent, Claim 1)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: enabling said one of said presence contributors to define preference information associated with said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: providing one of said presence contributors the ability to set/change the preference information of said presentity subject to any limits on the ability according to said access rules</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling said one of said presence contributors to define preference information associated with said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: presence server 160, presence agent 150 with access rules 210, presence user agent 140, and communications network 130</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling said one of said presence contributors to define preference information associated with said presence information of said presentity based on said access rules of said one of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: none. Term is indefinite for failure to disclose structure including algorithm for performing the function.</p>
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<p>“means for authenticating further includes means for assigning authentication credentials to each of said presence contributors and means for receiving said authentication credentials of said one of said presence contributors to authenticate said one of said presence contributors”</p> <p>(’550 Patent, Claim 4)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6, and to the extent Defendant’s proposal is understandable:</p> <p>Function 1 of 2: assigning authentication credentials to each of said presence contributors</p> <p>Structure 1 of 2: multiple access presence agent with presence server, and equivalents thereof.</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm 1 of 2: associating authentication credentials with each of said presence contributor</p> <p>Function 2 of 2: receiving said authentication credentials of said one of said presence contributors to authenticate</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>“means for assigning authentication credentials to each of said presence contributors”</p> <p>Function 1: assigning authentication credentials to each of said presence contributor</p> <p>Structure 1: presentity 110 and presence server 160 with presence agent 150</p> <p>Algorithm that must be included in the Structure 1: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p> <p>“means for receiving said authentication credentials of said one of said presence contributors to authenticate said one of said presence contributors”</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function 1 of 2: assigning authentication credentials to each of said presence contributors</p> <p>Structure 1 of 2: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm 1 of 2: N/A</p> <p>Function 2 of 2: receiving said authentication credentials of said one of said presence contributors to authenticate said one of said presence contributors</p> <p>Structure 2 of 2: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm 2 of 2: N/A</p>
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	<p>said one of said presence contributors</p> <p>Structure 2 of 2: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm 2 of 2: not required under <i>In re Katz Interactive Call Processing Patent Litig.</i>, 639 F.3d 1303 (Fed. Cir. 2011)</p>	<p>Function 2: receiving said authentication credentials of said one of said presence contributors to authenticate said one of said presence contributors</p> <p>Structure 2: presence contributors 120, presence server 160, presence agent 150, presence user agent 140, and communications network 130 or 135</p> <p>Algorithm that must be included in the Structure 2: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	

<p>“means for enabling further includes means for enabling access to said presence information of said presentity by multiple ones of said presence contributors simultaneously based on said respective access rules associated with said multiple ones of said presence contributors”</p> <p>(’550 Patent, Claim 6)</p> <p>[Proposed by Defendant]</p>	<p>Plain and ordinary meaning, not subject to 35 U.S.C. § 112 ¶ 6.</p> <p>But if the Court deems this term is subject to 35 U.S.C. § 112 ¶ 6:</p> <p>Function: enabling access to said presence information of said presentity by multiple ones of said presence contributors simultaneously based on said respective access rules associated with said multiple ones of said presence contributors</p> <p>Structure: multiple access presence agent with presence server, and equivalents thereof</p> <p>Furthermore, if the Court deems disclosure of an algorithm is required:</p> <p>Algorithm: provide access by multiple ones of said presence contributors simultaneously to said presence information of said presentity, each of said presence contributors possibly having different rights and</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling access to said presence information of said presentity by multiple ones of said presence contributors simultaneously based on said respective access rules associated with said multiple ones of said presence contributors</p> <p>Structure: presence server 160, presence agent 150, presence user agent 140, and communications network 130</p> <p>Algorithm that must be included in the Structure: Not Disclosed</p> <p>Term is Indefinite for failure to disclose structure including algorithm for performing the function</p>	<p>Subject to 35 U.S.C. § 112 ¶ 6.</p> <p>Function: enabling access to said presence information of said presentity by multiple ones of said presence contributors simultaneously based on said respective access rules associated with said multiple ones of said presence contributors</p> <p>Structure: presence server 160 and presence agent 150, and equivalents thereof</p> <p>Algorithm: none. Term is indefinite for failure to disclose structure including algorithm for performing the function.</p>
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	privileges to said presence information based on said respective access rules		